



Northern Territory of Australia

Public and Environmental Health Act 2011

COVID-19 Directions (No. 136) 2021: Exiting a lockdown area or lockout area to leave the Territory

I, Hugh Crosbie Heggie, Chief Health Officer, under section 52 of the *Public and Environmental Health Act 2011*, consider it necessary, appropriate or desirable to take action to alleviate the public health emergency in the Territory, declared by instrument entitled "Declaration of Public Health Emergency", dated 18 March 2020, (the ***public health emergency declaration***), by making the following directions:

Part 1 Preliminary matters

- 1 These Directions take effect at the time they are made and remain in force while the public health declaration is in force.

Note for direction 1

These Directions will remain in force during any subsequent extensions of the duration of that declaration, which may be made under section 50(2) of the Act.

- 2 COVID-19 Directions (No. 109) 2021 are revoked.

- 3 In these Directions:

approved means approved by the Chief Health Officer.

area means a lockdown area or a lockout area.

health practitioner means:

- (a) a person registered under the Health Practitioner Regulation National Law to practise in a health profession (other than as a student); or
- (b) an audiologist or a speech pathologist.

lockdown area means an area within the Territory that is identified as a "lockdown area" in other Chief Health Officer Directions made from time to time.

lockout area means an area within the Territory that is identified as a "lockout area" in other Chief Health Officer Directions made from time to time.

social distancing measures means the measures required under direction 20.

- 4 If these Directions are inconsistent with an advice, order or notice under the *Notifiable Diseases Act 1981*, the advice, order or notice prevails to the extent of the inconsistency.

Example for direction 4

A person may be ordered under the Notifiable Diseases Act 1981 to isolate for longer than the quarantine period or to undertake a specific course of medical treatment.

- 5 To avoid doubt, my COVID-19 Directions (No. 7) 2020, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions, apply to any person who is notified by an authorised officer or health practitioner that the person is infected with COVID-19.

Part 2 Exiting a lockdown area or lockout area

- 6 A person in a lockdown area or lockout area may exit the area during the period of lockdown or lockout in accordance with these Directions for the purpose of leaving the Territory.

Note for direction 6

A person may be able to leave a lockdown area or lockout area for other reasons allowed in the Directions imposing the lockdown or lockout.

- 7 A person is not permitted to exit an area during the period of lockdown or lockout under these Directions if:
- (a) the person is required to remain in quarantine under COVID-19 Directions (No. 18) 2021, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions; or

- (b) the person is required to remain isolated under COVID-19 Directions (No. 21) 2020, as amended from time to time, or any subsequent Directions that replace and substantially correspond to those Directions.
- 8 To be eligible to exit the area, the person must obtain a negative result from an approved COVID-19 testing procedure within the 3-day period before exiting.
- 9 All COVID-19 testing procedures are to be administered as follows:
 - (a) by an authorised officer;
 - (b) by a health practitioner;
 - (c) by another person approved by me;
 - (d) self-administered in accordance with the manufacturer's instructions on storage and administration of the test.
- 10 A person who self-administers a test under direction 9(d) must, after taking the test, retain photos of the test result, the packaging displaying the batch number and a document identifying the person.
- 11 The person must submit an application in the approved electronic manner, including a travel plan identifying the route by which the person will leave the Territory in accordance with direction 15.
- 12 A parent or guardian of a child may make the application for the child.
- 13 At the place of exit, the person must provide the following to an authorised officer:
 - (a) copy of the person's application; and
 - (b) evidence of the test result specified in direction 7.
- 14 An authorised officer must approve a person's application to exit the area if satisfied that:
 - (a) the application is complete and accurate; and
 - (b) the person obtained a negative result from an approved COVID-19 testing procedure within the 3-day period before exiting.

- 15 The person exiting the area must:
- (a) travel out of the Territory either:
 - (i) by private vehicle using the most direct route practicable; or
 - (ii) by vehicle to an airport for departure by aircraft out; and
 - (b) complete the travel as quickly as practicable, and no later than 48 hours after exiting the area; and
 - (c) not deviate from the route identified in the person's approved travel plan, except in the case of an emergency; and
 - (e) not stop except for food, fuel, medical necessity or accommodation and not enter premises unrelated to those purposes.
- 16 While travelling by road in the Territory, the person must:
- (b) wear a face mask in accordance with directions 18 and 19 while in transit; and
 - (c) practise regular hand hygiene by washing hands or using hand sanitiser while in transit; and
 - (c) practise social distancing measures while in transit.
- 17 If the person stops for overnight accommodation under direction 16(e), the person must remain quarantined in the accommodation from the time the person checks in to the accommodation until the time the person departs from the accommodation.

Part 3 Face masks and social distancing measures

- 18 A person required to wear a face mask by these Directions must wear a face mask securely over the person's nose and mouth while travelling out of the Territory.
- 19 A person is not required to wear a mask if the person:
- (a) is in a private vehicle, that is not being used for commercial purposes, or is alone in a commercial vehicle; or
 - (b) is a child under the age of 12 years; or


- (c) has a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable; or
 - (d) is communicating with another person who is hearing impaired and visibility of the person's mouth is essential; or
 - (e) is eating or drinking; or
 - (f) is asked to remove the face mask to ascertain the person's identity; or;
 - (g) is requested by a health practitioner to remove the face mask in order to enable the practitioner to administer treatment to the person; or
 - (h) must remove it in an emergency.
- 20 A person who must practise ***social distancing measures*** under these Directions must:
- (a) take all reasonable steps to sleep in a room or other enclosed space separate from any other person, except another person who is also subject to social distancing measures; and
 - (b) take all reasonable measures to stay at least 1.5 m away from other people, subject to essential worker's requirements at work; and
 - (c) submit to a test or assessment for infection with COVID-19 if required by me, my delegate or an authorised officer.
- 21 A police officer or an authorised officer may:
- (a) request a person who is not wearing a face mask as required by these Directions to state the person's reason for not doing so; and
 - (b) if the person claims to have a physical or mental health illness or condition, or a disability, that makes wearing a face mask unsuitable – require the person to produce evidence to support that claim.

Part 4 Transitional provisions

- 22 Any person who exited a lockdown area or a lockout area under COVID-19 Directions (No. 109) 2021 and is still in the Territory on the commencement of these Directions must continue to comply with those Directions as if they were not revoked.

Notes for COVID-19 Directions

- 1 *Section 56 of the Act provides for an offence for failing to comply with a direction given by me under section 52(3) of the Act.*
- 2 *The maximum penalty for this offence is 400 penalty units.*
- 3 *A person is not guilty of this offence if the person has a reasonable excuse.*
- 4 *An infringement notice may be given for failing to comply with these Directions with a fine equal to 32 penalty units for an individual and 160 penalty units for a body corporate.*

 Digitally signed by Dr Hugh Heggie
DN: cn=Dr Hugh Heggie, o=NTG
Health, ou=Public Health & Clinical
Excellence,
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Chief Health Officer

Dated